

**216.2923 Health data collection powers and duties -- Transmitting information on insurance experience.**

- (1) For the purposes of carrying out the provisions of KRS 216.2920 to 216.2929, the secretary may:
  - (a) Appoint temporary volunteer advisory committees, which may include individuals and representatives of interested public or private entities or organizations;
  - (b) Apply for and accept any funds, property, or services from any person or government agency;
  - (c) Make agreements with a grantor of funds or services, including an agreement to make any study allowed or required under KRS 216.2920 to 216.2929; and
  - (d) Contract with a qualified, independent third party for any service necessary to carry out the provisions of KRS 216.2920 to 216.2929; however, unless permission is granted specifically by the secretary a third party hired by the secretary shall not release, publish, or otherwise use any information to which the third party has access under its contract.
- (2) For the purposes of carrying out the provisions of KRS 216.2920 to 216.2929, the secretary shall:
  - (a) Publish and make available information that relates to the health care financing and delivery system, the cost of workers' compensation health benefits, motor vehicle health insurance benefits, and health insurance premiums and benefits that is in the public interest;
  - (b) Periodically participate in or conduct analyses and studies that relate to:
    1. Health-care costs;
    2. Health-care quality and outcomes;
    3. Health-care providers and health services; and
    4. Health insurance costs;
  - (c) Promulgate administrative regulations pursuant to KRS Chapter 13A that relate to its meetings, minutes, and transactions related to KRS 216.2920 to 216.2929;
  - (d) Prepare annually a budget proposal that includes the estimated income and proposed expenditures for the administration and operation of KRS 216.2920 to 216.2929; and
  - (e) No later than thirty (30) days after July 15, 2005, appoint and convene a permanent cabinet advisory committee. The committee shall advise the secretary on the collection, analysis, and distribution of consumer-oriented information related to the health care system, the cost of treatment and procedures, outcomes and quality indicators, and policies and regulations to implement the electronic collection and transmission of patient information (e-health) and other cost-saving patient record systems. At a minimum, the committee shall be composed of the following:
    1. Commissioner of the Department for Public Health;

2. Commissioner of the Department for Mental Health and Mental Retardation Services;
  3. Commissioner of the Department for Medicaid Services;
  4. Executive director of the Office of Insurance;
  5. Physician representatives;
  6. Hospital representatives;
  7. Health insurer representatives;
  8. Consumers; and
  9. Nonphysician health care providers.
- (f) The cabinet advisory committee shall utilize the Health Services Data Advisory Committee as a subcommittee, which shall include a member of the Division of Women's Physical and Mental Health, to define quality outcome measurements and to advise the cabinet on technical matters including proper interpretation of the data and the manner in which it should be published and disseminated to the public, state and local leaders in health policy, health facilities, and health-care providers.
- (3) The cabinet may promulgate administrative regulations pursuant to KRS Chapter 13A that impose civil fines not to exceed five hundred dollars (\$500) for each violation for knowingly failing to file a report as required under KRS 216.2920 to 216.2929. The amount of any fine imposed shall not be included in the allowed costs of a facility for Medicare or Medicaid reimbursement.

**Effective:** June 20, 2005

**History:** Amended 2005 Ky. Acts ch. 144, sec. 5, effective June 20, 2005. -- Amended 1998 Ky. Acts ch. 427, sec. 9, effective July 15, 1998; and ch. 496, sec. 53, effective April 10, 1998. -- Amended 1996 Ky. Acts ch. 371, sec. 26, effective July 15, 1996. - Created 1994 Ky. Acts ch. 512, Pt. 2, sec. 7, effective July 15, 1994.

**Legislative Research Commission Note** (6/20/2005). 2005 Ky. Acts chs. 11, 85, 95, 97, 98, 99, 123, and 181 instruct the Reviser of Statutes to correct statutory references to agencies and officers whose names have been changed in 2005 legislation confirming the reorganization of the executive branch. Such a correction has been made in this section.